IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 6:17CR12
	§	
LATONYA WALTON	§	

AMENDED ELEMENTS OF THE OFFENSE

COMES NOW, the United States of America, by and through the United States Attorney for the Eastern District of Texas, and files this pleading summarizing the elements of the offense to which the defendant intends to enter a plea of guilty to Count One of the first superseding indictment:

Title 20, United States Code, Section 1097(a) and 18 U.S.C. § 2, makes it a crime for anyone to steal or obtain by fraud any funds, assets, or property provided or insured under Title 20, Chapter 28, Subchapter IV of the United States Code, specifically under the Federal Pell Grant Program and the William D. Ford Federal Direct Loan Program.

To establish that the defendant is guilty of student financial aid fraud, the government must prove the following beyond a reasonable doubt:

First: That the defendant knowingly and willfully misapplied, stole, or obtained by fraud, false statement, or forgery, or attempted to misapply, steal, or obtain by fraud, false statement, or forgery, funds, assets, or property;

Second: That the funds, assets, or property described in the first superseding indictment were provided or insured by the Federal Pell Grant Program or the William D. Ford Federal Direct Loan Program; and

Third: That the funds, assets, or property had a value in excess of $200 at the time alleged.

To establish that the defendant is guilty of aiding and abetting student financial aid fraud, the government must prove the following beyond a reasonable doubt:

First: That the offense of student financial aid fraud was committed by some person;

Second: That the defendant associated with the criminal venture;

Third: That the defendant purposefully participated in the criminal venture; and

Fourth: That the defendant sought by action to make that venture successful.

Respectfully submitted,

BRIT FEATHERSTON
ACTING UNITED STATES ATTORNEY

/s/ Nathaniel C. Kummerfeld
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Amended Elements of the Offense was served on counsel of record for defendant via the court's CM/ECF on this the 30th day of May, 2017.

/s/ Nathaniel C. Kummerfeld
Nathaniel C. Kummerfeld